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DIVISION OF ENVIRONMENTAL HEALTH

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May 14, 1990

Paul S. Mushovic
United States Environmental Protection Agency
Region VIII
999 18th Street
Suite 500
Denver, Colorado 80202-2405

RE: Comments on Monticello Mill Tailings Site ROD.

Dear Mr. Mushovic:

Included in this letter are the State of Utah's comments on the Draft Final Record of Decision for the Monticello Mill Tailing Site. These comments are based on the DOE, the EPA, and the State of Utah agreeing to handle the peripheral properties proposed for supplemental standards in the following manner:

- 1) The B-SS properties north of the millsite (i.e. 1-3) will be cleaned up using conventional or environmentally sensitive methods.
- 2) The B-SS properties south of the millsite (i.e. 4-6) will be cleaned up or purchased by the DOE. If the DOE were to purchase the properties, appropriate institutional controls must be implemented.
- 3) The F-SS property (the cemetery) will be cleaned up; however, the State and EPA will entertain the proposal for institutional controls. The EPA has agreed that the ROD would not have to be amended to use institutional controls at the cemetery.
- 4) The H-SS and I-SS properties will be a part of Operable Unit III (Ground Water). The EPA has agreed that these

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properties could be remediated before a ROD for Operable Unit III is completed.

- 5) Appendix B is no longer applicable and will be deleted from the ROD along with any text referring to Appendix B.

If any of these items cannot be mutually agreed upon by the DOE, the EPA, and the State of Utah, the State of Utah may need to make additional comments.

The State of Utah's comments are as follows:

GENERAL COMMENTS:

1. Not all process-related materials can be disposed of at the repository.

Radiological contaminated building materials and mill equipment must be, to the extent practical and in accordance with prevailing standard, decontaminated and released for unrestricted use, released for restricted use, or disposed in a sanitary landfill. The repository could be used to dispose of some radiological contaminated building materials.

Any mixed, organic, or non-low-level radioactive wastes discovered during remedial action will have to be disposed of in accordance with a contingency plan developed during remedial design. This contingency plan must be in compliance with any ARAR's, including ARAR's not in this ROD, which are applicable or relevant and appropriate at the time the wastes are found.

Changes throughout the text need to be made to reflect this position.

2. The State of Utah is concerned with the assumption that the radioactive elements travel further than any other contaminants. As part of the Quality Assurance/Quality Control plan the DOE needs to develop a sampling plan which will insure that the site has been cleaned up of non-radioactive contaminants as well as the radioactive contaminants. This does not require any changes to the ROD.

SPECIFIC COMMENTS:

DECLARATION FOR THE RECORD OF DECISION:

Page 2, paragraph 2, line 6: Change "eliminate" to "reduce".

DECISION SUMMARY OF THE RECORD OF DECISION:

Page 1, paragraph 4, line 5: Change "lpotential" to "potential".

Page 3: Please add a scale to the site plan.

Page 5, paragraph 4, line 3: Change "at stated" to "as stated".

Page 14, paragraph 3: "Ingestion of ground water" needs to be included as one of the five potential exposure pathways.

Page 17, paragraph 1, lines 8-9: Change "on the basis of remedial action these objectives" to "on the basis of these remedial action objectives".

Page 18, paragraph 3, line 8: Change "evaporation ponds or reversed osmosis" to "evaporation ponds, reversed osmosis, or other appropriate technology".

Page 18, paragraph 6: This paragraph should be changed to read as follows:

"Regulations in Title 40 CFR part 192.22 provide for the use of supplemental standards in those circumstances where remedial actions would: 1) cause direct environmental harm which is long term, manifest, and grossly disproportionate to health benefits to persons living on or near the site, now or in the future; 2) or when the cost of remedial action is unreasonably high relative to the long term health benefits and the residual radioactive materials do not pose a clear present or future hazard. The State, Environmental Protection Agency, and Department of Energy could use these standards if a peripheral property meets one or more of the criteria contained in the regulations."

Page 21, paragraph 9, sentence 1: This sentence should be changed to the following:

"Prior to applying supplemental standards at peripheral properties where direct environmental damage is grossly disproportionate to health benefits or where the cost of remedial action is unreasonably high relative to the long term benefits, the selected remedial actions should come as close to meeting the otherwise applicable standards as reasonable possible under the

circumstances and must not pose a clear present or future hazard."

Page 22, paragraph 3, lines 2-3: Change "The State of Utah accepts this alternative" to "The State of Utah accepts the possible use of this alternative".

Page 24, paragraph 5: This paragraph needs to be changed to include other forms of reclamation besides reconstructing the creek to its historic location.

Page 24, paragraph 7, lines 6-9: The State is pleased to see the acknowledgement that the design in the feasibility study is a preliminary design. The State feels that the cap design is part of remedial design because of the need to match the actual cap design to the site conditions. These condition are not completely defined at the time the ROD is written. Matching the cap design to site conditions is necessary to insure compliance with ground water standards.

Page 29-30: Turn pages so that the titles are on the left hand side of the page.

Page 30, footnote 1: Eliminate "no costs are involved".

Page 31, paragraphs 4-5: This should be one paragraph.

Page 33, bullet 4: Change "73-18-18" to "63-18-18".

Page 33: "R613-004-110 U.A.C. Reclamation Plans" needs to be added to the State ARAR's.

Page 33, Section 10.3: This paragraph needs to be changed to the following:

The following are guidance, proposed regulations, DOE orders, etc., which are 'To Be Considered'

Page 34, bullet 6: Change "econtaminated" to "contaminated".

Page 34, paragraph 4, lines 8-12: This information should also be included in Section 6.

Page 34, paragraph 5, line 2: Change "through the avoidance of impacts to these areas" to "through the avoidance of unnecessary impacts to these areas".

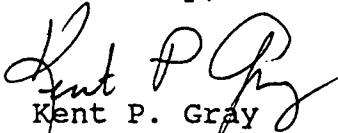
Page A-8, paragraph 1-2: The State still feels that a site-specific health and safety plan provides vital information which is required during remedial design.

The DOE needs to develop a site-specific health and safety plan during the early portions of remedial design.

This concludes the State of Utah's comments on the Draft Final Record of Decision for the Monticello Mill Tailing Site. The Bureau of Radiation Control has reviewed and concurs with these comments.

If you have any questions, please contact Steven Peterson at (801) 538-6170.

Sincerely,


Kent P. Gray
CERCLA Branch Manager

KPG/SJP/sjp

cc: Mark S. Day
Larry Anderson